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TECHNOLOGY CENTER R3700

PATENT  
1131-0462P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): Kazuko Himeno et al. Conf.: 5425  
Appl. No.: 10/029,963 Group: 3723  
Filed: December 31, 2001 Examiner: Alvin J. Grant  
For: ANGLE MEASUREMENT DEVICE

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 27, 2004

Sir:

Kazuko Himeno, (hereinafter "the Assignee")

☒ residing at 1-4, Tomiokagojo 3-chome, Teine-ku,  
Sapporo-shi, Hokkaido, Japan,

☐ a corporation of having a principal place of  
business at ,

☐ a university having an address of ,

represents that it is the true owner of the entire interest of  
U.S. patent Application No. 10/029,963, filed on December 31,  
2001, for "ANGLE MEASUREMENT DEVICE," (hereinafter "above-  
identified application") by virtue of and as evidenced by an  
Assignment recorded at the United States Patent and Trademark  
Office on April 6, 2004.

The Assignee hereby disclaims the terminal part of any  
patent granted on the above-identified application which would  
extend beyond the expiration date of the full statutory term as  
presently shortened by any terminal disclaimer of U.S. Patent

07/28/2004 JBALINAN 00000045 10027963

02 FC:1814

110.00 DP

Adjustment date: 11/16/2004 SDIRETA1  
07/28/2004 JBALINAN 00000045 10027963

02 FC:1814

-110.00 DP

11/16/2004 SDIRETA1 00000007 10029963

02 FC:2814 55.00 DP

11/16/2004 SDIRETA1 0011270100  
Ref: 11/16/2004 SDIRETA1 0011270100  
Name/Number: 10029963 \$184.00 CR  
Ref: 02/24/04  
FC: 9204



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TECHNOLOGY CENTER R3700

MS AF  
REPLY UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3723

PATENT  
1131-0462P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Kazuko HIMENO et al.	Conf.:	5425
Appl. No.:	10/029,963	Group:	3723
Filed:	December 31, 2001	Examiner:	Alvin J. Grant
For:	ANGLE MEASUREMENT DEVICE		

REPLY AFTER FINAL UNDER 37 C.F.R. § 1.116

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 27, 2004

Sir: '

In response to the Examiner's Office Action dated April 27, 2004, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

The present amendment includes: Changes to the Claims and Remarks.

Adjustment date: 11/16/2004 SDIRETA1  
07/28/2004 JBALINAN 00000045 10027963  
01 FC:1201 -258.00 OP

07/28/2004 JBALINAN 00000045 10027963  
01 FC:1201 258.00 OP

11/16/2004 SDIRETA1 00000007 10029963  
01 FC:2201 129.00 OP



DIVISION

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DCP/Ref  
# 307  
MS 16  
PATENT  
1131-0462P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Kazuko HIMENO et al.  
Appl. No.: 10/029,963 Group: 3723  
Filed: December 31, 2001 Examiner: ALVIN GRANT  
For: ANGLE MEASUREMENT DEVICE  
ATTENTION: Refund Section  
Accounting Division  
OFFICE OF FINANCE

REQUEST FOR A REFUND

(Improper Fees Paid - Small Entity Previously Established)

MS 16  
Director of the U.S. Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 4, 2004

Sir:

The following documentation and remarks are respectfully  
submitted in connection with the above-identified application.

DOCUMENTATION

Attached hereto is:

- ☐ a copy of written assertion of small entity status  
filed on ; and/or  
☒ a copy of an executed Statement Claiming Small Entity  
Status (37 C.F.R. § 1.9(f) and 1.27(b)) - filed on December  
31, 2001.

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DIVISION

Appl. No. 10/029,963

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REMARKS

Pursuant to 37 C.F.R. § 1.28(a), applicants hereby request a refund of 50% of the additional claims fee paid on July 26, 2004. Small entity status was established prior to payment of this fee by the filing of a written assertion/statement on December 31, 2001.

Under 37 C.F.R. § 1.26(b), any request for a refund which is not based upon subsequent entitlement to small entity status must be filed with a two-year nonextendable time limit.

The additional claims fee in the amount of 258.00 was paid on July 26, 2004. It is respectfully requested that the excess fee of \$129.00 be credited to Deposit Account No. 02-2448.

Favorable action on the present Request is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  <sup>Reg No</sup> 52,384  
James M. Slattery #28,380

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

JMS/RFG/te  
1131-0462P

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INDEPENDENT IN. OR

COPY DIVISION

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(c) and 1.27(b)) - INDEPENDENT INVENTOR

Docket No.: 1131-0462P

Applicant or Patentee: Kazuko HIMENO and Hiroshi HIMENO 2004 OCT -6 PM 4:46

Serial or Patent No.: NEW

Filed or Issued:

Title: ANGLE MEASUREMENT DEVICE

As a below-named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under 35 USC 41(a) and 41(b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention described in

1. a. ☒ the application filed herewith; or  
b. ☐ application above identified; or  
c. ☐ patent above identified.
2. ☐ I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention.
3. ☐ Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention, and who is entitled to pay reduced fees under 35 USC 41(a) and 41(b), is listed below:

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME HAKUSUI TRADING CO., LTD.  
ADDRESS 1-15, NITAKA 1-chome, Hodogawa-ku, Osaka-shi, Osaka, Japan  
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME  
ADDRESS  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME  
ADDRESS  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR	NAME OF INVENTOR	NAME OF INVENTOR
Kazuko HIMENO		
Signature of Inventor	Signature of Inventor	Signature of Inventor
<i>Kazuko Himeno</i>		
Date	Date	Date
Dec. 19, 2001		

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Applicant or Patentee: Kazuko HIMENO and Hiroshi HIMENO

Attorney's: 11310462P  
Docket No.: 11310462P

Serial or Patent No.: New

Filed or Issued: \_\_\_\_\_

For: \_\_\_\_\_

VERIFIED STATEMENT (DECLARATION OF SMALL ENTITY STATUS)  
(37 C.F.R. §§ 1.9(f) and 1.27)

**COPY**

2004 OCT -6 PM 4: 46

I hereby declare that I am

- ☒ the owner of the small business concern identified below;  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN HAKUSUI TRADING CO., LTD.

ADDRESS OF CONCERN 1-15, Niitaka 1-chome, Yodogawa-ku, Osaka-shi,  
Osaka, Japan

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled ANGLE MEASUREMENT DEVICE by inventor(s)

Kazuko HIMENO and Hiroshi HIMENO  
described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e). \*NOTE: Separate verified statements are required from each person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

NAME Kazuko HIMENO

ADDRESS 1-4, Tomiokagojo 3-chome, Teine-ku, Sapporo-shi, Hokkaido,  
☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION Japan

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Tomiko NAKAYAMA

TITLE OF PERSON OTHER THAN OWNER \_\_\_\_\_

ADDRESS OF PERSON SIGNING c/o HAKUSUI TRADING CO., LTD, 1-15, Niitaka 1-chome,  
Yodogawa-ku, Osaka-shi, Osaka, Japan

SIGNATURE Tomiko Nakayama

DATE Dec. 19, 2001

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